

DURIE TANGRI LLP
DARALYN J. DURIE (SBN 169825)
ddurie@durietangri.com
DAVID McGOWAN (SBN 154289)
dmcgowan@durietangri.com
LAURA E. MILLER (SBN 271713)
lmiller@durietangri.com
VICTORIA L. WEATHERFORD (SBN 267499)
vweatherford@durietangri.com
RAGHAV R. KRISHNAPRIYAN (SBN 273411)
rkrishnapriyan@durietangri.com
MATTHEW W. SAMUELS (SBN 294668)
msamuels@durietangri.com
217 Leidesdorff Street
San Francisco, CA 94111
Telephone: 415-362-6666
Facsimile: 415-236-6300

YOUNG BASILE HANLON & MACFARLANE, P.C.
JEFFREY D. WILSON (*Pro Hac Vice*)
wilson@youngbasile.com
ANDREW R. BASILE, JR. (SBN 208396)
abasile@youngbasile.com
EDDIE D. WOODWORTH (*Pro Hac Vice*)
woodworth@youngbasile.com
RYAN T. MCCLEARY (*Pro Hac Vice*)
mccleary@youngbasile.com
3001 W. Big Beaver Road, Suite 624
Troy, MI 48084
Telephone: (248) 649-3333
Facsimile: (248) 649-3338

Attorneys for Plaintiff
PLEXXIKON INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

PLEXXIKON INC.,

Plaintiff,

v.

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

Case No. 4:17-cv-04405-HSG

**PLAINTIFF PLEXXIKON INC.'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PURSUANT TO CIVIL L.R. 7-
11 AND 79-5**

Ctrm: 2 – 4th Floor
Judge: Honorable Haywood S. Gilliam, Jr.

Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Plexxikon Inc. (“Plexxikon”) respectfully submits this Administrative Motion to File under Seal. The following documents contain information designated as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES ONLY” by Defendant Novartis Pharmaceuticals Corporation (“Novartis”) pursuant to the Protective Order entered in this matter. Plexxikon takes no position as to the confidentiality of these documents and seeks sealing solely to remain in compliance with the Protective Order and this Court’s Local Rules. To that end, if this material is subject to protection, Plexxikon expects that, within four days of the service and filing of this motion, Novartis will file declarations supporting this motion as required by Civil Local Rule 79-5. Pursuant to Civil Local Rule 79, Novartis bears the burden of submitting declarations, based on personal knowledge, which demonstrate “compelling reasons” for why these materials should remain sealed.

Document	Portions to be Sealed	Reasons for Sealing
Plaintiff’s Notice of Motion and Motion to Exclude Certain Opinions and Testimony of Novartis’s Technical Experts and Memorandum of Points and Authorities in Support Thereof	Page 2, lines 15–28 Page 3, lines 1–13, 18–20 Page 4, lines 4–15, 19–20 Page 5, lines 5–12, 18–20, 24–26 Page 6, lines 13–15 Page 8, lines 19–24 Page 9, lines 1–5 Page 10, lines 1–6, 15–22, 27–28 Page 11, lines 25–28 Page 12, lines 1–2, 9–11	Designated as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL-ATTORNEYS’ EYES ONLY” by Novartis
Exhibit 1 to the Declaration of Laura E. Miller in Support of Plaintiff Plexxikon Inc.’s Motion to Exclude the Opinions and Testimony of Novartis’s Technical Experts	To be sealed in its entirety	Designated as “HIGHLY CONFIDENTIAL-ATTORNEYS’ EYES ONLY” by Novartis
Exhibit 2 to the Declaration of Laura E. Miller in Support of Plaintiff Plexxikon Inc.’s Motion to Exclude the Opinions and Testimony of Novartis’s Technical Experts	To be sealed in its entirety	Designated as “CONFIDENTIAL” by Novartis
Exhibit 4 to the Declaration of Laura E. Miller in Support of Plaintiff Plexxikon Inc.’s Motion to Exclude the Opinions and Testimony of Novartis’s Technical Experts	To be sealed in its entirety	Designated as “HIGHLY CONFIDENTIAL-ATTORNEYS’ EYES ONLY” by Novartis

Document	Portions to be Sealed	Reasons for Sealing
Exhibit 5 to the Declaration of Laura E. Miller in Support of Plaintiff Plexxikon Inc.'s Motion to Exclude the Opinions and Testimony of Novartis's Technical Experts	To be sealed in its entirety	Designated as "CONFIDENTIAL" by Novartis
Exhibit 7 to the Declaration of Laura E. Miller in Support of Plaintiff Plexxikon Inc.'s Motion to Exclude the Opinions and Testimony of Novartis's Technical Experts	To be sealed in its entirety	Designated as "HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY" by Novartis

Although the Plexxikon does not take a position on whether it is critical to seal the designated documents and information from the public record, especially in light of the "compelling reasons" test set forth by the Ninth Circuit in *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006), Plexxikon has filed the instant motion so as to comply with the Protective Order.

Dated: May 16, 2019

DURIE TANGRI LLP

By: /s/ Laura E. Miller

DARALYN J. DURIE
DAVID McGOWAN
LAURA E. MILLER
VICTORIA L. WEATHERFORD
RAGHAV KRISHNAPRIYAN
MATTHEW W. SAMUELS

Attorneys for Plaintiff
PLEXXIKON INC.

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/s/ Laura E. Miller
LAURA E. MILLER